

Annex 1.4: Responsibilities of the Cabinet

Under Section 13(2) of the Local Government Act 2000, the Cabinet is responsible for carrying out all those functions of the Council which are not reserved by law to either -

- (1) the full Council itself; or
- (2) one of the Committees, Boards, or Statutory Officers appointed under the following Articles of the Constitution:
 - Article 6 [Scrutiny Committees];
 - Articles 8&9 [Other Committees and Boards];
 - Article 11[Joint Arrangements];
 - Article 10[Area Committees and Forums]; or
 - Article 12[Statutory Officers]

Membership: *No more than ten Cabinet Members (appointed by the Leader of the Executive), including the Leader and the Deputy Leader.*

Functions

The functions of the Cabinet are listed below. Where functions have been delegated, these are listed in Annexes 1.5 to 1.9. In all cases, the exercise of Cabinet functions is subject to the Cabinet Procedural Rules set out in Annex 2.4 to this Constitution.

1. Community Leadership

- (a) to promote the well-being of the people and the Borough of Gravesham;
- (b) to provide a clear vision and leadership for the conduct of local affairs;
- (c) to consult and involve local communities on important issues;
- (d) through a range of partnership arrangements with others, including a Locality Board, to develop and maintain a Community Strategy and other policies and proposals that respond to people's concerns and shape the agenda for the Council's Policy Framework and Budgets;
- (e) to influence and respond to policies and initiatives from government and other public sector agencies at the national, regional, and county levels.

2. Best Value

- (a) to approve the scope of Best Value service reviews;
- (b) to decide upon the implementation of service improvement plans;
- (c) to co-ordinate the preparation of and implementation of the Council's Best Value Performance Plans, and regularly to monitor their implementation;
- (d) to ensure appropriate action is taken where necessary to secure the delivery of performance against the Plans;
- (e) to deal with reports from the Audit Commission relating to best value and service improvement.

3. Annual Budget

Annually to propose a Policy Framework and Budget to the full Council designed to:

- (a) advance the aims and objectives of the Community Strategy;
- (b) deliver the service standards and targets in the Council's Best Value Performance Plan;
- (c) respond to the needs and aspirations of local communities;

- (d) ensure adequate resources are available for these purposes and their efficient use;
- (e) meet all requirements of law.

4. Management of Resources

Subject to the requirements of the approved Policy Framework and Budget to exercise the Council's powers and duties relating to -

- (a) the strategic and operational management of all of the Council's current and future resources of land, buildings, finance, personnel and other assets, including the use of Council-owned land declared surplus to operational requirements;
- (b) corporate risk management: keeping under review the corporate risk strategy and register, taking appropriate action to ensure that corporate business risks are being actively managed, including reporting to full Council at least annually and securing the embedding of risk management in the Council's strategic and financial planning, policy making and review, and performance management;
- (c) counter fraud and corruption work across the Council, including housing benefits, ensuring that effective arrangements are in place to enable effective work to be undertaken on a proactive basis;
- (d) pursue and utilise appropriate external funding opportunities to facilitate the achievement of the Council's policies and programmes;
- (e) administer the provision of grants to individuals and organisations for statutory and other approved purposes.

5. Rating and Valuation, etc.

To deal with rating, valuation, Council Tax, Housing and Council Tax Benefits, charities and related matters.

6. Planning and Transportation

To deal with all matters of planning and transportation policy, including the content of:

- (a) the Local Plan;
- (b) development briefs;
- (c) supplementary Planning Guidance;
- (d) responses to government and government agencies, and regional and sub-regional bodies in relation to all matters of planning and transportation policy.

7. Regeneration

To discharge the Council's responsibilities for the economic, social and environmental regeneration of the Borough in a sustainable manner, so that existing communities are able to participate as fully as possible in the benefits of improvements and new opportunities created, and in particular to -

- (a) develop and implement programmes and schemes for the redevelopment and/or regeneration of areas of significance to the local economy and local communities across the Borough;
- (b) develop and implement proposals for increasing tourism and visitor attractions of benefit to the local economy;
- (c) develop and implement proposals to help local people to improve their knowledge and skills and increase job opportunities;
- (d) develop and implement proposals for the conservation, improvement and promotion of the Borough's physical heritage of buildings, landscapes and townscape features.

8. Housing

To deal with all matters relating to the improvement of housing conditions and people's housing circumstances within the Borough, and in particular to exercise the Council's powers and duties in relation to -

- (a) assessing the housing needs of the Borough and developing and implementing measures to address the needs identified;
- (b) homelessness, care in the community, and housing advice/information services;
- (c) the Council's Housing Revenue Account dwellings, caravan and mobile home sites;
- (d) private sector housing, including house renovation grants, the Rent Acts, loans under the Housing Acts and policies relating to fitness for habitation, repair, multiple occupation and overcrowding (but excluding decisions relating to enforcement action in individual cases, which are reserved to the Planning Committee);
- (e) applications for financial assistance from Registered Social Landlords for the provision, repair and improvement of housing.

9. Leisure

To deal with all matters relating to the provision, maintenance and improvement of appropriate opportunities to participate in the cultural, artistic, sporting and recreational life of the community, and in particular to exercise the Council's powers and duties in relation to -

- (a) assessing requirements for new and improved leisure opportunities and developing and implementing proposals to address them;
- (b) parks, open spaces, pleasure grounds, children's playgrounds, sports and leisure facilities, swimming and leisure pools and public entertainment halls;
- (c) cemeteries;
- (d) the promotion and provision of cultural, artistic, entertainment, sporting and other recreational activities;
- (e) library, museum and exhibition services;
- (f) the Council's catering services and concessions.

10. Environment and Health

To develop and implement policies and programmes to protect and improve the environment of the Borough and the health of the population of the Borough, and in particular to discharge the Council's responsibilities for -

- (a) drainage and water supply;
- (b) the provision of services for refuse collection, waste reduction and recycling, street cleansing and public conveniences;
- (c) health and safety at work (including matters relating to the Shops Act 1950 and trading on a Sunday), health education and safety in the home;
- (d) the control of pollution, nuisances and offensive trades, etc.;
- (e) food safety and hygiene and related matters;
- (f) the control of unauthorised encampments and the control of caravans;
- (g) animal welfare, the control of dogs and dangerous wild animals, and the control of pests;
- (h) controlling the spread of infection.

but excluding decisions relating to enforcement action in individual cases, which are reserved to the Planning Committee.

11. Public Relations and Information

To deal with public relations, marketing and public information matters, including the production of a Council newspaper, in-house magazine and other publications.

12. Director (Housing & Operations)

To deal with all matters relating to the Council's Direct Services Organisation, Director (Housing & Operations).

13. Emergency Planning and Action in Emergencies

In collaboration with the Kent County Council, the emergency services, other public agencies, private organisations and community groups (and subject to the urgency procedure contained in the Access to Information Procedure Rules detailed in Annex 2.2 to this Constitution) to discharge the Council's responsibilities for emergencies, and in particular -

- (a) to ensure that up-to-date plans are in place to deal with peace-time emergency situations, including major emergencies;
- (b) in the event of an emergency occurring, to take all necessary and practicable actions to deal with the effects of emergencies on the population, infrastructure, environment and economy of the Borough.

14. Member Support Services and Civic Matters

To deal with civic matters, including those relating to the mayoralty, the use of the coat of arms and town twinning.

15. Shareholder Responsibility in respect of Rosherville Limited

To deal with all matters that have been reserved for the Cabinet in relation to the council's wholly-owned trading company, Rosherville Limited. Specifically these relate to the following:

- a) Approval of the Parent Company's annual Business Plan (or mid-year amendments), which will include key aspects from the Business Plans of the subsidiary operations
- b) Appointment and dismissal of Directors for the Board of the Parent company as well as establishing the membership for the Shareholder Group.
- c) Investment decisions (in so much as the Council's investment in the company is protected).
- d) The financial agreements which set out the financial assistance that will be provided by the Council. Any decisions relating to funding and onward lending to the holding company and/or subsidiaries (where budgetary provision has been made by Full Council) will rest with the Cabinet.
- e) Delivery of appropriate social and financial returns on investment.
- f) Ensuring that trading activities are conducted in accordance with the values of the Council.
- g) The business case for the establishment of each subsidiary. This must assess risk and is the start of the full business planning process for the trading company (as per appendix three). The initial business plan for the subsidiary will be included as part of the initial business case document to Cabinet but once established, the responsibility for approving annual business plans of the subsidiaries will rest with the holding company Board.
- h) The Articles of Association (AoA), which establishes the constitution for the company structure.
- i) The Shareholders Agreement which sets out the rights of the Council as the sole shareholders and details the powers of the Board of the company and at what point the shareholder can influence this.

All other decisions relating to the company will rest with the Leader who can execute these either as a direct result of discussions with the Shareholder Group or, if felt appropriate, through discussions with the Cabinet directly.

16. Other Matters

To deal with and determine any matter not reserved to the Council or specifically delegated to any other Committee or to an officer of the Council.